

REMARKS

In view of the remarks and arguments below, Applicants believe the pending application is in condition for allowance.

I. Status of the Claims

Claims 1-4 are pending in the application.

II. Objections to the Claims

Claim 1 is objected to for informalities. Specifically, the Examiner states that the word “for” should be removed from paragraphs 6, 7, and 9. Applicants respectfully traverse this objection.

In a preliminary amendment dated September 14, 2006, Applicants amended claim 1 to remove the term “for” from paragraphs 6, 7, and 9. In the previously presented claim 1, which is included in the listing of the claims section of this document, the term “for” is not included in paragraphs 6, 7, or 9. Additionally, claim 1 is properly represented in the published application (U.S. Publication No. 2007/0273096), including the removal of the term “for” from paragraphs 6, 7, and 9. Accordingly, Applicants respectfully request that this objection be removed.

III. Rejection Under 35 U.S.C. § 112

Claim 3 is rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. In particular, the Examiner states that it is unclear what the phrase “the control information update device changes a degree of a change of the attack control information...” means. Applicants respectfully traverse this rejection.

Applicant disagrees with the Examiner’s allegation that the phrase “the control information update device changes a degree of a change of the attack control information...” is unclear. An embodiment corresponding to claim 3 is described in paragraphs [0044] and [0045] of the present application. In this embodiment, an “incremental value” defines the amount of change that will be applied to an “experiential value” when certain conditions are met. For example, in this

embodiment, the “incremental value” determines how much the “experiential value” should be changed in response to “one time training”. The “experiential value” corresponds to the attack control information of claim 3 and the “increment value” corresponds to the degree of a change of the attack control information of claim 3. Thus, the application clearly discloses the meaning of the claim limitations. As such, it is respectfully submitted that claim 3 particularly points out and distinctly claims the subject matter which is regarded as the claimed invention.

Accordingly, reconsideration and withdrawal of the rejection of claim 3 under 35 U.S.C. §112, second paragraph, is respectfully requested.

IV. Rejections Under 35 U.S.C. § 102(e)

Claims 1, 2, and 4 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Publication No. 2002/0028710 to Ishihara et al. (herein “Ishihara”). Applicants respectfully traverse these rejections.

Unlike the invention disclosed in Ishihara, a characteristic feature of the present invention as described in claim 1 is that the attack content information storage device is prepared independently of the character information storage device and the attack content information stored in the attack content information storage is independent of any character information. Thus, in the present invention, at least two kinds of cards are prepared: a character card containing the character identification information and an attack card containing the attack content identification information. (See paragraphs [0021]-[0025] of the present application)

For example, a player can make the character A use the attack content B by using a first card for character A and a second card for attack content B. Processing by the attack control device is executed based on the combination of the specified character A and the specified attack content B. A player can combine freely any one of the cards for attack content with one of the cards for a character making the attack content information common to all of the possible characters. Thus, the number of different character/attack content combinations is equal to the number of available unique character cards multiplied by the number of available unique attack content cards.

Significantly, to achieve this number of possible combinations, it is not necessary to prepare the attack content information individually for each character.

Moreover, if the card for attack content is used at the moment of attack, it is thereby possible to increase a player's enjoyment of the game because the player can choose the attack content at the moment of attack, and is not limited to the choices already available on a character card.

Ishihara discloses a game system in which cards are used to represent characters. Each card contains character attributes such as abilities, strength, and weapons or magic to be used by the character. (See paragraph [0028] of Ishihara) Even if the weapons or magic to be used by a character of Ishihara (herein "weapon") correspond to the attack content information of the present invention, Ishihara fails to disclose a system where the attack content information, such as the degree of difficulty, can exist independent of any character information. All of the characters attributes, including weapons to be used, are included on a single card. Ishihara does not disclose any data that is independent of a character.

Further, Ishihara does not disclose a game system whereby character cards can be freely associated with attack content cards to produce a final result. Therefore, when multiple characters use a weapon, it is necessary that the weapon information be stored in each character card. A player's options in the game are thereby limited to the information stored on a single card.

To contrast the type of game play described in Ishihara with that possible with the present invention, consider a scenario where 20 cards are available. In the Ishihara system, there would be 20 possible combinations of characters, weapons, etc. In the present invention, if 10 of the cards are character cards and 10 are attack content cards, there would be 100 possible combinations. Given the same number of cards, the present invention dramatically increases the choices available to a player.

In light of the foregoing, the cited reference fails to disclose, teach, or suggest the features of the claimed invention in view of the attack content information storage device being prepared independently of the character information storage device and the attack content information stored in the attack content information storage being independent of any character information. Applicants further submit that claims 2 and 4, which are dependent upon claim 1, are allowable at

least by reason of dependency upon an allowable base claim. Consequently, Applicants submit that the present invention is both novel and inventive over the cited reference and respectfully request that the rejections be withdrawn.

V. Rejection Under 35 U.S.C. § 103(a)

Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishihara.

Applicants respectfully traverse this rejection. Claim 3 depends on base claim 1, and should be allowable at least by reason of dependency upon an allowable base claim for the reasons presented above. Accordingly, reconsideration and withdrawal of the rejection of claim 3 is respectfully requested.

CONCLUSION

In view of the of the remarks and arguments above, Applicants believe the pending application is in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: October 6, 2008

Respectfully submitted,

By 

Louis J. DeJundice

Registration No.: 47,522

DARBY & DARBY P.C.

P.O. Box 770

Church Street Station

New York, New York 10008-0770

(212) 527-7700

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant